

VZCZCXRO6155
RR RUEHMA RUEHPA
DE RUEHCO #0927/01 2641501
ZNR UUUUU ZZH
R 211501Z SEP 06
FM AMEMBASSY COTONOU
TO RUEHC/SECSTATE WASHDC 8804
INFO RUEHFR/AMEMBASSY PARIS 0977
RUEHZK/ECOWAS COLLECTIVE
RUEHBS/USEU BRUSSELS

UNCLAS SECTION 01 OF 02 COTONOU 000927

SIPDIS

SENSITIVE

SIPDIS

STATE FOR AF/W:DBANKS, AF/PD:LBEDICHEK

E.O. 12958: N/A

TAGS: [PGOV](#) [PHUM](#) [KPAO](#) [BN](#)

SUBJECT: JOURNALISTS DETAINED AFTER ALLEGEDLY DEFAMING PRESIDENT'S FAMILY

¶1. (U) Summary: Police arrested and jailed three journalists September 15 for violating the libel law and released them September 18. The three, from the newspaper La Diaspora de Sabbat, were deemed responsible for an article alleging that President Boni Yayi's elder son was mentally ill. The government may take further action. Another journalist was put in jail for separate articles, but also released September 19. Most commentators concede the journalists violated Benin's code of professional ethics for journalists, but also complain their arrest was precipitous and did not follow the appropriate legal procedures for libel cases. Another journalist arrested in an unrelated case was released on September 19. End Summary.

Article About President's Son Triggers Arrests

¶2. (U) On September 15 the newspaper La Diaspora de Sabbat published an article entitled "Hard Times in the Entourage of the Chief of State: Eldest Son of Yayi Boni in State of Dementia." The article alleged that the President had brought his son back from the United States to help in affairs of state, but that the young man had lost his reason, and after efforts by traditional healers to cure him had failed, had been sent to a psychiatric clinic in Europe. A prosecutor from the Tribunal of First Instance in Cotonou determined that the article was defamatory and ordered the arrest of Director of Publication Virgile Linkpon, Chief Editor Fulric Richard Couao-Zotti, and the author of the article, Judicael Mauroy Adikpeto. They were jailed September 15 and released September 18.

More Legal Steps Possible

¶3. (U) Various newspapers reported that there could be further legal action against the three. They may be tried for libel and could face legal sanctions, including imprisonment, if found guilty. However, if President Yayi decides not to pursue the matter, they can simply publish a public retraction and apology, and the matter will be closed. (NOTE: There were several cases under former President Kerekou where newspapers recanted after the office of the Presidency threatened legal action. End Note.)

Journalists Were Wrong

¶4. (U) During a television program on government channel ORTB the evening of September 17, Edouard Loko, former president of the Office of Deontology and Ethics in Media (ODEM), stressed that the incident could have been avoided if the journalists had followed the professional code of ethics. Loko added that the article was a serious offense, and he apologized to the President on behalf of all journalists in Benin.

¶5. (U) Nevertheless, Loko warned that, if the journalists were detained for long, it would tarnish Benin's image as the best country in Africa in terms of freedom of the media. (The journalists were released the next day.)

Irregular Procedure?

¶6. (U) Daily newspaper Le Matinal reported that the arrests were a departure from the proper legal procedure in a libel case; the reporters should have been ordered to appear for questioning and trial for defamation. They should not have been arrested and jailed prior to questioning and a trial. However, daily newspaper Le Point au Quotidien published a lengthy editorial warning reporters about violating the journalistic code of ethics. It argued the three journalists had in fact violated the code, and that they should not be surprised at what had happened to them.

A Paper With a Grudge

¶7. (SBU) The newspaper La Diaspora de Sabbat is reportedly owned by a Beninese reggae musician, Sabba Nazaire, who is based in Germany. Nazaire reportedly started the newspaper to get back at a high-ranking police official in the Kerekou administration who seized one of the vehicles he imported to Benin for not having gone through customs, and also to attack a former Minister under Kerekou who stole one of his wives. Post's media contacts claim the newspaper specializes in defamatory articles; and allege it accepts money for either printing or suppressing the stories.

Not the President's Son

COTONOU 00000927 002 OF 002

¶8. (SBU) In addition, the person referred to in the article in La Diaspora de Sabbat is not one of the President's sons, but is apparently a daughter of his current (second) wife by a previous marriage. The young lady, now studying in France and who has never held a position in her stepfather's administration, reportedly suffers from periodic depression.

Another Reporter Jailed

¶9. (U) In a separate case, reporter Cyrille Saizonou of the newspaper Djakpata was arrested September 15 and held in jail until September 19. He published one article alleging widespread corruption and theft of government funds in the police department, and another alleging that an unnamed Minister in the administration of former President Kerekou was a spy for a European company. He was arrested after failing to provide any evidence to support the allegations.

COMMENT

¶10. (SBU) The public and media acknowledge that some reporters in the free-wheeling Beninese press (where individuals and various entities often pay editors and reporters to either run or suppress articles) sometimes crosses the line and may well be committing libel. Nonetheless, prosecutors should abide strictly by legal procedures in investigating such cases. Arresting or detaining journalists only draws attention to the irresponsible articles in low-circulation papers such as La Diaspora de Sabbat or Djakpata that few otherwise would read -- and risks making Yayi's five-month-old government look thin-skinned. End Comment.

BROWN